United Nations S/2012/77

Security Council

Distr.: General
4 February 2012

Original: English

Bahrain, Colombia, Egypt, France, Germany, Jordan, Kuwait, Libya, Morocco, Oman, Portugal, Qatar, Saudi Arabia, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its presidential statement of 3 August 2011,

Recalling General Assembly resolution A/RES/66/176 of 19 December 2011, as well as Human Rights Council resolutions S/16-1, S/17-1 and S/18-1,

Noting the League of Arab States' request in its decision of 22 January 2012,

Expressing grave concern at the deterioration of the situation in Syria, and profound concern at the death of thousands of people and *calling* for an immediate end to all violence,

Welcoming the League of Arab States' Action Plan of 2 November 2011 and its subsequent decisions, including its decision of 22 January 2012, which aims to achieve a peaceful resolution of the crisis,

Noting the deployment of the League of Arab States' observer mission, *commending* its efforts, *regretting* that, due to the escalation in violence, the observer mission was not in a position to monitor the full implementation of the League of Arab States' Action Plan of 2 November 2011, and *noting* the subsequent decision of the League of Arab states to suspend the mission,

Underscoring the importance of ensuring the voluntary return of refugees and internally displaced persons to their homes in safety and with dignity,

Mindful that stability in Syria is key to peace and stability in the region,

Noting the announced commitments by the Syrian authorities to reform, and *regretting* the lack of progress in implementation,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Syria, *emphasizing* its intention to resolve the current political crisis in Syria peacefully, and *noting* that nothing in this resolution authorizes measures under Article 42 of the Charter,

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Welcoming the engagement of the Secretary-General and all diplomatic efforts aimed at addressing the situation, and *noting* in this regard the offer of the Russian Federation to host a meeting in Moscow, in consultation with the League of Arab States,

1. *Condemns* the continued widespread and gross violations of human rights and fundamental freedoms by the Syrian authorities, such as the use of force against civilians, arbitrary executions, killing and persecution of protestors and members of the media, arbitrary detention, enforced disappearances, interference with access to medical treatment, torture, sexual violence, and ill-treatment, including against children;

2. *Demands* that the Syrian government immediately put an end to all human rights violations and attacks against those exercising their rights to freedom of expression, peaceful assembly and association, protect its population, fully comply with its obligations under applicable international law and fully implement Human Rights Council resolutions S-16/1, S-17/1, S-18/1 and General Assembly resolution A/RES/66/176;

3. *Condemns* all violence, irrespective of where it comes from, and in this regard *demands* that all parties in Syria, including armed groups, immediately stop all violence or reprisals, including attacks against State institutions, in accordance with the League of Arab States' initiative;

4. *Recalls* that all those responsible for human rights violations, including acts of violence, must be held accountable;

5. *Demands* that the Syrian government, in accordance with the Plan of Action of the League of Arab States of 2 November 2011 and its decision of 22 January 2012, without delay:

(a) cease all violence and protect its population;

(b) release all persons detained arbitrarily due to the recent incidents;

(c) withdraw all Syrian military and armed forces from cities and towns, and return them to their original home barracks;

(d) guarantee the freedom of peaceful demonstrations;

(e) allow full and unhindered access and movement for all relevant League of Arab States' institutions and Arab and international media in all parts of Syria to determine the truth about the situation on the ground and monitor the incidents taking place; and

(f) allow full and unhindered access to the League of Arab States' observer mission;

6. *Calls* for an inclusive Syrian-led political process conducted in an environment free from violence, fear, intimidation and extremism, and aimed at effectively addressing the legitimate aspirations and concerns of Syria's people, without prejudging the outcome;

7. *Fully supports* in this regard the League of Arab States' 22 January 2012 decision to facilitate a Syrian-led political transition to a democratic, plural political system, in which citizens are equal regardless of their affiliations or ethnicities or beliefs, including through commencing a serious political dialogue between the

Syrian government and the whole spectrum of the Syrian opposition under the League of Arab States' auspices, in accordance with the timetable set out by the League of Arab States;

8. *Encourages* the League of Arab States to continue its efforts in cooperation with all Syrian stakeholders;

9. *Calls upon* the Syrian authorities, in the event of a resumption of the observer mission, to cooperate fully with the League of Arab States' observer mission, in accordance with the League of Arabs States' Protocol of 19 December 2011, including through granting full and unhindered access and freedom of movement to the observers, facilitating the entry of technical equipment necessary for the mission, guaranteeing the mission's right to interview, freely or in private, any individual and guaranteeing also not to punish, harass, or retaliate against, any person who has cooperated with the mission;

10. *Stresses* the need for all to provide all necessary assistance to the mission in accordance with the League of Arab States' Protocol of 19 December 2011 and its decision of 22 January 2012;

11. *Demands* that the Syrian authorities cooperate fully with the Office of the High Commissioner for Human Rights and with the Commission of Inquiry dispatched by the Human Rights Council, including by granting it full and unimpeded access to the country;

12. *Calls upon* the Syrian authorities to allow safe and unhindered access for humanitarian assistance in order to ensure the delivery of humanitarian aid to persons in need of assistance;

13. *Welcomes* the Secretary-General's efforts to provide support to the League of Arab States, including its observer mission, in promoting a peaceful solution to the Syrian crisis;

14. *Requests* the Secretary-General to report on the implementation of this resolution, in consultation with the League of Arab States, within 21 days after its adoption and to report every 30 days thereafter;

15. *Decides* to review implementation of this resolution within 21 days and, in the event of non-compliance, to consider further measures;

16. *Decides* to remain actively seized of the matter.

United Nations S/2012/78

Security Council

Distr.: General
9 February 2012

Original: English

Identical letters dated 3 February 2012 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

For the third time in the past week, I write to express Israel's very serious concern about the rockets flying out of the Gaza Strip daily.

On the evening of 1 February 2012 — in the midst of the Secretary-General's visit to our region — terrorists in Gaza fired seven rockets into Israeli communities within the span of an hour. These rockets exploded in close proximity to the city of Sderot — and forced thousands of Israelis to spend the evening in bomb shelters. In the last three weeks alone, more than 20 rockets and mortars have been fired into Israeli cities and communities.

With his own eyes, the Secretary-General has seen the threats facing 1 million Israelis this week. He met children from Sha'ar HaNegev whose school bus was struck by a Hamas anti-tank missile, killing their 16-year-old classmate. The Secretary-General travelled to Sapir College, where students have just 15 seconds of warning to take cover in bomb shelters in the face of falling rockets, month after month. The Secretary-General made clear during these visits that nothing can justify the firing of rockets towards Israel and that these deliberate attempts to harm civilians must be condemned.

With each rocket that falls, the explosive potential for conflict rises. The Security Council must finally address the dangers posed by these continued attacks with the utmost seriousness.

Israel expects the Security Council, and all responsible members of the international community, to condemn the rocket fire from Gaza without any further delay. We also expect President Abbas, and other leaders of the Palestinian Authority, to finally raise their voices and fulfil their fundamental obligations to clearly denounce these acts of terrorism.

Israel holds the Hamas terrorist organization fully responsible for all attacks emanating from Gaza, where it remains in de facto control. Israel has exercised and will continue to exercise its right to self-defence, as appropriate, and will take all necessary measures to protect its citizens.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Haim **Waxman**
Ambassador
Chargé d'affaires ad interim

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United Nations S/2012/79

Security Council

Distr.: General
6 February 2012

Original: English

Letter dated 1 February 2012 from the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1540 (2004), I have the honour to refer to paragraph 9 of Security Council resolution 1977 (2011) and to transmit herewith the 2011 review of the implementation of resolution 1540 (2004) (see annex).

I would appreciate it if you would bring the present letter and its annex to the attention of the members of the Security Council and have them circulated as a document of the Council.

(*Signed*) Baso **Sangqu**
Chair
Security Council Committee established pursuant to
resolution 1540 (2004)

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Annex

2011 review of the implementation of resolution 1540 (2004)

I. Introduction

1. In its resolution 1540 (2004), the Security Council expressed its intention to monitor closely the implementation of the resolution and, at the appropriate level, to take further decisions which might be required to that end. On 20 April 2011, the Council, noting that the full implementation of resolution 1540 (2004) by all States was a long-term task, unanimously adopted resolution 1977 (2011) extending the mandate of the Committee for 10 years. At the same time, to monitor the status of implementation of resolution 1540 (2004), the Council decided that the Committee would conduct comprehensive reviews after five years and prior to the renewal of its mandate. The Council also decided that there would be annual reviews, prepared with the assistance of the group of experts, which acts under the direction and purview of the Committee in accordance with paragraph 5 of resolution 1977 (2011), before the end of each December.

2. The present review, which derives from paragraph 9 of resolution 1977 (2011), presents progress made by States and other activities relevant to the implementation of resolution 1540 (2004), during the period from 1 January to 31 December 2011.

II. Methodology

3. The 2011 annual review is structured in two parts. The first part is a factual summary of the current year, based on the structure of resolution 1977 (2011) in the areas of implementation, assistance, cooperation with international, regional and subregional organizations, and transparency and outreach. The second part (Assessment of progress and future perspectives) is analytical, with a forward-looking perspective. It touches upon the priorities of the 1540 process with a view to exploring what additional measures could be taken. It builds upon the information submitted by the Committee to the Security Council in its triennial report covering the period from 25 April 2008 to 24 April 2011 (S/2011/579), elaborating certain points in order to identify effective practices and raise awareness of future challenges.

III. Progress and achievements

A. Monitoring and national implementation

4. Facilitating and monitoring the implementation by States of resolution 1540 (2004) is a key function of the Committee, which keeps track of relevant measures States have taken or intend to take. Based on information submitted by States, the Committee regularly updates the 1540 matrices, which are posted on its website with the consent of States. The matrices[1] represent a valuable tool for the general

[1] The matrices have the following disclaimer: The information in the matrices originates primarily from national reports and is complemented by official Government information, including that made available to intergovernmental organizations.

examination of information on the status of implementation by States of resolution 1540 (2004).

5. The submission by States to the Committee of a first report on steps they have taken or intend to take is considered an initial step towards implementation of the resolution. As at 31 December 2011, 168 States had submitted a first report on the implementation of the resolution, including Ethiopia, Gabon and Rwanda in 2011. Twenty-five States have yet to submit a report.[2] In order to facilitate the submission of a first report, the Chair of the Committee briefed the Group of African States, in September 2011, emphasizing the availability of the Committee and its experts to provide support, if needed. Démarches to facilitate the submission of a first report were also undertaken and brought to the attention of the Committee by the Group of Eight (G-8) in 2011.

6. In its resolution 1977 (2011), the Security Council encouraged States to provide additional information on their implementation of resolution 1540 (2004), including on effective practices, on a voluntary basis. In 2011, seven States formally submitted additional information to the Committee (Croatia, Finland, France, Mexico, Qatar, Saudi Arabia and Ukraine), bringing to 105 the total number of official submissions of additional information.

7. States are encouraged to prepare, on a voluntary basis, national implementation action plans mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004) and to submit those plans to the Committee. In 2011, France submitted a national action plan, sharing experience in measures taken to implement resolution 1540 (2004) and in capacity-building activities, and urging States wishing to receive assistance to submit detailed requests. This brings to four[3] the number of national action plans submitted to the Committee. The preparation of national implementation action plans on a voluntary basis should be considered as a possible means of strengthening national day-to-day work towards implementing resolution 1540 (2004).

8. In paragraph 11 of its resolution 1977 (2011), the Council recognized the importance of the active engagement of the Committee in dialogue with States on the implementation of resolution 1540 (2004), including through visits to States at their invitation. In September 2011, the Committee conducted in the United States of America its first visit to a State at its invitation. The one-week visit helped the Committee to gain a deeper understanding of measures taken by the United States to implement resolution 1540 (2004) and was considered useful by the United States in identifying areas of implementation in which further national efforts are needed. In 2011, the Committee received invitations to visit Albania, Croatia and Madagascar.

9. In 2011, the Committee also liaised with States and relevant international, regional and subregional organizations to promote the sharing of experience, lessons learned and effective practices. The Committee experts initiated work to identify effective practices, templates and guidance, with a view to developing a compilation.

10. Measures taken by States cover prohibited activities by non-State actors, as listed in paragraph 2 of resolution 1540 (2004) relating to nuclear, chemical and

[2] This number stems from the recent increase in the number of Member States to 193.

[3] Argentina, Canada and the United States of America previously submitted a national action plan.

biological weapons and their means of delivery, and controls over related materials, in accordance with paragraph 3 of the resolution.[4] For example, regarding measures on prohibitions, Nigeria adopted the Prevention of Terrorism Act 2011; Fiji adopted the Biological and Toxin Weapons Decree of 2011 (Decree No. 17 of 2011); France adopted, on 14 March 2011, a law modernizing the legislative mechanisms for combating the proliferation of weapons of mass destruction and their means of delivery; and Ireland adopted the Biological Weapons Act 2011.

11. Regarding domestic controls over related materials, Italy adopted a law on nuclear security. Congo, Guinea, Montenegro and Mozambique ratified both Safeguards Agreements and Additional Protocols with the International Atomic Energy Agency (IAEA); Pakistan ratified another Safeguards Agreement; and Bahrain, Costa Rica, the Gambia, Mexico and Morocco ratified Additional Protocols to their Safeguards Agreements. China and the United States signed a Government-to-Government agreement in January 2011 to establish a centre of excellence in China to promote effective nuclear security and safeguards programmes. Japan opened its new Integrated Comprehensive Support Center for Non-proliferation and Nuclear Security for Asia at the Japan Atomic Energy Agency facility in Tokaimura, Japan. In 2011, Germany adopted an amendment to its 1996 Regulation Implementing the Chemical Weapons Convention as amended in 2000 and 2001 and Ghana adopted the Biosafety Act 2011.

12. Regarding border and export controls, the Strategic Trade Act 2010 of Malaysia came into force on 1 January 2011, and Finland adopted a new export control law. In June 2011, Kazakhstan announced the adoption of an export control act containing control lists, to reinforce the weapons of mass destruction non-proliferation regime. The Customs union among Belarus, Kazakhstan and the Russian Federation has been in force since 1 July 2011, with licences for exporting dual-use items issued in one State being valid in the other two States. In 2011, the Directorate General for Trade of the European Commission issued a Green Paper entitled "The dual-use export control system of the European Union: ensuring security and competitiveness in a changing world", which launched a survey on the current dual-use export control system as set out in Council Regulation (EC) No. 428/2009. The objective of the survey is to help to identify the strengths and weaknesses of the current system and to map out a longer-term vision of the European Union export control framework.

B. Assistance and capacity-building

13. The Committee discussed the following main areas for potential progress: continuing to improve assistance procedures; identifying and analysing assistance needs; continuing to develop a dialogue on assistance with relevant international, regional, subregional and, as appropriate, non-governmental organizations; strengthening the ability of the Committee and its experts to facilitate assistance; and increasing awareness of assistance issues. Developments during 2011 focused on the implementation of revised guidelines on processing assistance requests, the facilitation of "match-making" between assistance requests and offers, and continued development and refining of assistance guidelines.

[4] The list of examples in paras. 10-12 is not exhaustive.

14. In 2011, the Committee implemented the revised guidelines adopted in October 2010 to rationalize, improve and accelerate the response to assistance requests and facilitate match-making.[5]

15. In order to update the information on requests and offers of assistance, the Chair of the Committee sent letters in February and March 2011 to all United Nations Member States and relevant international organizations. He also sent letters to specific countries and regional groups acknowledging or seeking clarification on their assistance requests or offers. Keeping the list up to date is an essential tool in facilitating match-making activities. The Committee received responses from Colombia, Madagascar, Mexico and Serbia requesting assistance and from Bulgaria, Mexico and Portugal offering assistance. Letters were also received from international organizations and entities about their programmes or availability to assist.[6] New assistance requests were made by Afghanistan, Albania, Ethiopia (in its first report) and the Caribbean Community (CARICOM), and updates on their offer of assistance were made by Canada, France and the United States.

16. The consolidated list of 41 formal requests was also updated by the Committee and made available to the G-8 Global Partnership Working Group at a meeting on 10 October 2011, in Paris.

17. In support of the match-making role of the Committee, its experts held consultations with officials from Bulgaria on the assistance requested by Uganda, and with officials from Mexico on the request from Colombia. In preparation for the country visit requested by Madagascar, the Committee had exchanges with interested States, international organizations[7] and one non-governmental organization.[8]

18. The Chair of the Committee relayed to States that had requested assistance information received in 2011 from providers of assistance. The Committee experts contributed to country-specific activities in or with Kyrgyzstan, the Republic of Moldova and Serbia, supported by the Organization for Security and Cooperation in Europe (OSCE) and the Office for Disarmament Affairs, to assist them in developing national action plans and in identifying where these States sought assistance.

19. Furthermore, in the context of the European Union Instrument for Stability, chemical, biological, radiological and nuclear centres of excellence are being established with the objective of increasing the institutional capacity of countries in

[5] The formal assistance procedures, revised in October 2010, are available from www.un.org/sc/1540/assistance.shtml.

[6] Including from the International Atomic Energy Agency (IAEA), the World Customs Organization, the United Nations Office on Drugs and Crime, the World Bank and the non-governmental organization VERTIC. In addition, the Caribbean Community (CARICOM) made a new assistance request, and Guyana (on behalf of CARICOM) informed the Committee of an offer by the Center for International Trade and Security of the University of Georgia to contribute to CARICOM's new request for legislative assistance.

[7] IAEA, the Organization for the Prohibition of Chemical Weapons, the Biological Weapons Convention Implementation Support Unit, the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime, the European Union, the International Maritime Organization and the World Customs Organization.

[8] VERTIC.

a regional context. In 2011, the Committee was informed of developments in this area.

20. Committee members are currently considering additional assistance guidelines on match-making activities that address procedures for matching assistance requests and turning informal requests into formal requests to the Committee.

21. On 19 October 2011, on the occasion of an event hosted by the Permanent Mission of Poland to the United Nations in New York, the European Union and the United States signed a joint declaration reiterating their commitment to the full and comprehensive implementation of resolutions 1540 (2004) and 1977 (2011). In particular, the declaration states that the European Union and the United States will support strengthening the Committee in its role as a clearing house for countries seeking international assistance in improving their national non-proliferation capabilities, as well as developing visits to States.

22. To support efforts to facilitate the universal implementation of resolution 1540 (2004), the United States made a $3 million grant to the Trust Fund for Global and Regional Disarmament. A new European Union Council decision in support of resolution 1540 (2004) is currently being prepared.

C. Cooperation with other organizations and entities

23. With the support of the experts, the Committee continued cooperation with relevant international, regional and subregional organizations and had various interactions with other entities and arrangements. Information on such collaboration is incorporated in tables prepared by the Committee experts for the use of the Committee members.

Cooperation with international, regional and subregional organizations

24. Interaction with relevant international, regional and subregional organizations and other intergovernmental institutions and arrangements, in particular those possessing non-proliferation expertise, contributes to the effective implementation of resolution 1540 (2004) by strengthening cooperation through the exchange of information, the sharing of implementation experiences and lessons learned, and coordination in facilitating assistance to Member States. Regional and subregional organizations also provide valuable insights into the common needs and priorities of their members and help to deliver assistance.

25. The Committee intensified its collaboration with IAEA in the area of nuclear security through conferences and partnership in the Agency's information portal. Cooperation with the Organization for the Prohibition of Chemical Weapons was also increased in order to promote measures to strengthen chemical security. The Committee also expanded cooperation with the Biological Weapons Convention Implementation Support Unit and collaborated on relevant activities in the biological area. The Committee agreed to a request by the Biological Weapons Convention Implementation Support Unit to participate in the development of an implementation guide. The Committee continued to cooperate with the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization. An example of collaborative effort between the Committee and these organizations is

the joint contributions to workshops on the implementation of the international non-proliferation instruments.

26. The Organization of American States (OAS) supported the implementation of resolution 1540 (2004) by States through country-specific activities, in particular with Colombia and Mexico. Moreover, OAS informed the Committee of the designation of a regional coordinator for the Central American Integration System, beginning in October 2011. This adds to the two regional facilitators already designated, by CARICOM and OSCE, to assist States in their respective regions. The Committee also learned of progress towards the possible designation of regional facilitators for other regional organizations, in particular the Commonwealth of Independent States and the Association of Southeast Asian Nations (ASEAN).

27. New developments include the participation of Committee experts in a workshop on the role of OSCE in the implementation of resolution 1540 (2004). The Committee experts continued to strengthen cooperation with their OSCE counterparts by focusing on issues regarding assistance to certain Member States, in particular Kyrgyzstan, the Republic of Moldova and Serbia in drafting voluntary national plans. Furthermore, the Committee was informed by the Office for Disarmament Affairs of the signature of a memorandum of understanding between the United Nations and the OSCE secretariat on the joint implementation of projects relating to resolution 1540 (2004).

28. The Committee started a dialogue with the Gulf Cooperation Council, including at its headquarters in Riyadh, and continued dialogue with the League of Arab States, on their respective cooperation with the Committee.

29. At the G-8 Summit in Deauville, France, in May 2011, Heads of State and Government decided to renew the Global Partnership beyond 2012. The Global Partnership Assessment and Options for Future Programming, adopted in Deauville, identifies four priorities for the future of the Global Partnership, including facilitation of the implementation of resolution 1540 (2004). The Committee experts participated in a subsequent meeting of the G-8 Global Partnership Working Group, to discuss possible programmes to facilitate the implementation of resolution 1540 (2004).

30. The Committee experts also participated in a number of workshops organized by other intergovernmental organizations and shared lessons from the implementation experience. For example, they continued to participate, in 2011, in meetings of the Financial Action Task Force on Money Laundering, designed to facilitate the development of recommendations and best practices on countering proliferation financing.

Cooperation with United Nations entities

31. As the Committee is a Counter-Terrorism Implementation Task Force entity, its experts were involved in a project designed to assist Central Asian States in devising a regional action plan to implement the United Nations Global Counter-Terrorism Strategy and also participated in other relevant activities of the Task Force, including within the framework of the working groups on preventing and responding to terrorist attacks involving weapons of mass destruction and on border management relating to counter-terrorism.

32. The Committee continued to cooperate with the Security Council Committees established pursuant to resolutions 1267 (1999) and 1989 (2011), resolution 1373 (2001) and resolution 1988 (2011), and their experts, including through joint or coordinated outreach activities. For example, the experts participated in a training organized by the Counter-Terrorism Executive Directorate programme on countering terrorism and proliferation financing and in a joint comprehensive visit to Myanmar led by the Executive Directorate.

Civil society and the private sector

33. In resolution 1540 (2004), the implementation of which is the responsibility of States, the Security Council called upon States to develop appropriate ways to work with and inform industry and the public regarding their obligations under the resolution. In paragraph 12 of its resolution 1977 (2011), the Council encouraged the Committee to draw on relevant expertise, including civil society and the private sector with, as appropriate, their State's consent. In 2011, the Committee and its experts continued to reach out to them to generate wider awareness of the requirements of resolution 1540 (2004) and to facilitate its effective implementation. Civil society and the private sector may have a relevant role in this regard and may be helpful as co-sponsors of workshops on the implementation of resolution 1540 (2004) and in providing assistance.

D. Transparency and outreach

34. Transparency is an essential principle guiding the work and activities of the Committee, helping to enhance confidence, foster greater cooperation and raise the awareness of States, relevant international, regional and subregional organizations, civil society and the private sector regarding issues relevant to resolution 1540 (2004), which facilitates the implementation of the resolution by States.

35. Transparency and media outreach are closely interconnected. Transparency was enhanced through maintenance of the Committee's website and through outreach events at different levels.

36. The Committee continued to consider a media outreach strategy, based on a non-paper prepared by the Committee experts. The purpose of this strategy is to utilize methodically and efficiently the United Nations and Committee resources to reach wider, targeted audiences, including through the preparation of specialized contact lists for electronic communication of important Committee updates. In the meantime, as part of its work with the media, the Chair of the Committee briefed the international press on 24 April 2011 regarding the adoption of resolution 1977 (2011). Similarly, on 13 September 2011, a representative of the Chair participated in a press event held at the United Nations International Press Centre in Washington, D.C., on the subject of the first country visit of the Committee.

37. The Committee continued to maintain its website as an important medium for transparency, which it strives to update and augment. In 2011, for example, it added the sections "New on This Website" and "Committee Activities". In 2011, a major redesign of the Committee website was initiated, with support from the Office for Disarmament Affairs and the Department of Public Information, with the aim of making the website more user-friendly. The Committee anticipates that this project will be completed early in 2012.

38. The Committee and its group of experts continued to participate in outreach events at the international, regional and subregional levels, to facilitate the implementation by States of resolution 1540 (2004). In 2011, members of the Committee and experts participated in more than 55 outreach events, including workshops organized by the Office for Disarmament Affairs. Also in 2011, the Committee began posting information notes on outreach activities attended by its representatives on its website, in order to increase transparency.

IV. Assessment of progress and future perspectives

A. Assessment of progress

39. In 2011, the Committee continued to facilitate and document an upward trend in progress made by States in implementing resolution 1540 (2004).

40. As at 31 December 2011, reporting by States on the implementation of the resolution reached a high level, 168 States having submitted at least one report and 105 States having provided additional information, many of them more than once. However, the overall pace of reporting needs to be sustained in order to compile more complete and up-to-date information on the progress towards full implementation of the resolution.

41. In 2011, considerable progress was made in enhancing the transparency of the work and achievements of the Committee through open briefings and posting new information on the website.

42. The Committee made progress in fostering cooperation with international, regional and subregional organizations and other entities, and in developing a working relationship with non-governmental organizations to facilitate the implementation of resolution 1540 (2004) by States, in the context of resolution 1977 (2011). Additional and continuous efforts are necessary to keep strengthening cooperation with international, regional and subregional organizations and other entities and to make full use of resources offered by them.

B. Looking ahead

43. Taking into account the recommendations contained in the report submitted to the Security Council on 12 September 2011 (S/2011/579), the Committee may consider the following steps:

(a) Update and analyse, on an ongoing basis, the information compiled in the Committee's matrices;

(b) Send letters to all Member States to raise awareness of resolution 1977 (2011) and call for additional information to be submitted voluntarily by States on steps they have taken and further steps they plan to take, including on effective national practices and voluntary national implementation action plans;

(c) Focus on tailored dialogue with Member States pursued, inter alia, through country-specific efforts, such as discussions with the relevant Permanent Missions to the United Nations and visits to States upon invitation or, as necessary, through formal correspondence, to foster a better understanding of their particular

challenges, priorities and security perceptions and ascertain their assistance needs in order to facilitate their implementation tasks;

(d) Optimize the efficiency of the Committee's work during its 10-year mandate, through its annual programme of work which includes, as necessary, specific priorities for its work in order to promote the full implementation by States of resolution 1540 (2004) in all its aspects;

(e) Increase efforts to identify assistance needs through dialogues at workshops and other venues and encourage formalizing intentions to request assistance;

(f) Refine the methodology for visits to States at their invitation and country-specific activities with the benefit of the experience gained and lessons learned from those already conducted;

(g) Continue reviewing and updating the information posted on the website to ensure user-friendly access;

(h) Develop a Committee strategy on engaging international, regional and subregional organizations and other entities, in particular with respect to information-sharing, the exchange of experiences and lessons learned and cooperation in assisting Member States;

(i) Observe and map relevant activities of international and regional organizations and encourage them to inform the Committee as appropriate of the areas in which they are able to provide assistance;

(j) Encourage the designation of points of contact in all relevant international, regional and subregional organizations, and consider establishing a network among them and with the Committee;

(k) Facilitate interactions among coordinators already designated by regional organizations (CARICOM, OSCE and the Central American Integration System) and with the Committee, including to use their experience to identify effective practices;

(l) Encourage States to share effective practices in their specific region;

(m) Liaise with relevant civil society entities with, as appropriate, their State's consent, on sharing information with the Committee on relevant activities, in order to help to define the parameters of their involvement;

(n) Continue to bolster the practice of organizing its meetings regularly and on a planned basis.

United Nations S/2012/80

Security Council

Distr.: General
7 February 2012

Original: English

Letter dated 6 February 2012 from the Permanent Representative of Albania to the United Nations addressed to the President of the Security Council

I have the honour to forward a letter from H.E. Mr. Edmond Haxhinasto, Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Albania, addressed to you, in your capacity as President of the Security Council for the month of February 2012 (see annex).

Your kind assistance in circulating the present letter and the annex thereto to the members of the Security Council, and its publication as a document of the Council, would be highly appreciated.

(*Signed*) Ferit **Hoxha**
Ambassador
Permanent Representative

12-22565 (E) 080212

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Annex to the letter dated 6 February 2012 from the Permanent Representative of Albania to the United Nations addressed to the President of the Security Council

For more than a year, the Security Council, during its meetings on the report of the Secretary-General, has been hearing statements containing several appalling allegations presented as sheer facts by representatives of the Republic of Serbia, based on a report of the human rights rapporteur of the Council of Europe, Mr. Dick Marty, released on December 2010. This report tries to establish links between former Kosovo Liberation Army members to organized crime and accuses them of having harvested organs of prisoners, including of persons of Serb origin, allegedly in the territory of Albania.

The Albanian Government entirely rejects such allegations as untrue and unfounded. They echo unconfirmed media reports and similar allegations by specific and interested parties, which the Albanian Government considers as part of a wider propaganda against Kosovo that is anything but new. More worryingly, they constitute an unfortunate effort in drawing unacceptable parallels between what has been proved and documented as crimes against humanity committed by the Serbian regime of Milosevic and their victims.

It must be recalled that in 2004, the same allegations were investigated when the International Tribunal for the Former Yugoslavia visited the alleged sites in Albania and concluded that there was no evidence to prove any of the allegations. Yet, given the nature of the claims that you have been hearing for so long, contrary to what has been alleged by Serbia or other promoters of this issue, Albania has taken the issue very seriously and has repeatedly expressed its continued determination and willingness to fully cooperate for an impartial and thorough investigation of such allegations, and to close this chapter once and for all.

This investigation has been entrusted to the Special Investigative Task Force of the European Union Rule of Law Mission in Kosovo (EULEX). Mindful of the need for a thorough investigation as the best approach to separating fact from fiction and, trustful of the legitimacy, technical capacity, professionalism and impartiality of EULEX to successfully handle such a delicate exercise, Albania has officially invited EULEX to carry out any investigative activity as may be needed in the territory of Albania. Mr. John Clint Williamson, the head prosecutor of the Special Investigative Task Force, has visited Albania several times and has always been assured of the readiness of the Albanian Government to cooperate with the Special Investigative Task Force.

Furthermore, in the same spirit and with the same commitment, during Mr. Williamson's last visit, in January 2012, the Albanian Government agreed to make the necessary legal arrangements, including by enacting legislation if needed in order to institutionalize the cooperation between the Government and EULEX and create a clear legal framework that will help EULEX fulfil its mandate. We sincerely hope and expect that other countries related to this investigation will offer the same level of readiness in cooperating with EULEX on this matter.

Albania firmly believes that the pursuance of justice in post-war countries is a prerequisite for peace and security and, by the same token, of paramount importance for a healthy reconciliation process among nations. But justice cannot be done under pressure, nor should it be influenced by any propaganda. Therefore, while waiting

for the ongoing investigation to shed light, our task as Member States of the United Nations, including the distinguished members of the Security Council, is to provide full support to the EULEX Special Investigative Task Force and refrain from using these allegations for political benefits, short-term gains or any domestic agenda.

As two strong components of the South-East European geopolitical landscape, Albanian and Serbian people need to look forward and join efforts in a common vision of building a long-lasting reconciliation process, peace and security in the Balkans.

(*Signed*) Edmond **Haxhinasto**

United Nations A/66/688–S/2012/81

General Assembly
Security Council

Distr.: General
8 February 2012
English
Original: Arabic

General Assembly
Sixty-sixth session
Agenda item 36
The situation in the Middle East

Security Council
Sixty-seventh year

Identical letters dated 25 January 2012 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a statistical summary of Israeli violations of Security Council resolution 1701 (2006) committed during the month of December 2011 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-sixth session of the General Assembly, under agenda item 36, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

12-22731 (E) 090212 140212

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Annex to the identical letters dated 25 January 2012 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Land violations

Date	*Time*	*Nature of violation*
2 December 2011	1310	At an earlier date, Israeli enemy forces placed a spying device in Wadi Ayn al-Ghar outside the villages of Deir Kifa and Srifa within Lebanese territory. The device was detonated from a distance by an Israeli enemy reconnaissance aircraft after being discovered by the Lebanese side.
3 December 2011	1130	An Israeli enemy patrol used binoculars and a map for observation in the direction of the village of Kafr Killa.
	1145	Israeli enemy personnel took up combat positions facing Lebanese territory. On leaving, they made obscene hand gestures towards the Lebanese Army observation post of Fatimah Gate.
5 December 2011	1920	The Israeli enemy directed a searchlight for 10 minutes towards Lebanese territory opposite the Lebanese Army checkpoint of Udaysah.
6 December 2011	0920	A member of an Israeli enemy patrol at Fatimah Gate photographed the village of Kafr Killa, within Lebanese territory.
11 December 2011	1100	A member of an Israeli enemy patrol opposite Fatimah Gate photographed Lebanese territory.
13 December 2011	1735	The Israeli enemy directed a searchlight for 5 minutes towards the Lebanese Army position of Mays al-Jabal.
17 December 2011	0830	An Israeli enemy bulldozer in the occupied Shab'a Farms did work of an unknown nature.
20 December 2011	2010	An Israeli enemy patrol directed obscene language at the sentry at the Lebanese Army position of Duhayrah.
28 December 2011	2230 2310	A number of explosions were heard within the occupied Shab'a Farms.

Sea violations

Date	*Time*	*Nature of violation*
27 December 2011	2340	An Israeli enemy launch directed a searchlight for 10 seconds towards Lebanese territorial waters in the region of buoy No. 3.
30 December 2011	2110	An Israeli enemy launch directed a searchlight for 30 seconds towards Lebanese territorial waters in the region of buoy No. 2.
	2155	An Israeli enemy launch directed a searchlight for 30 seconds towards Lebanese territorial waters in the region of buoy No. 2.

Air violations

Date	*Time*	*Nature of violation*
1 December 2011	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before departing at 1015 hours over Rumaysh.
	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before departing on 2 December at 0625 hours over Rumaysh.
	0920	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Naqurah. It circled over Beirut before leaving at 1615 hours over Alma al-Sha'b.
	0935	The Israeli enemy airforce violated Lebanese airspace, circling over the South before leaving at 1055 hours.
2 December 2011	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1255 hours over Rumaysh.
	0815	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1715 hours over Rumaysh.
	1510	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1825 hours over Rumaysh.
3 December 2011	0648	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1158 hours.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1205 hours.
	0740	Two Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Juniyah. They circled over all regions of Lebanon before leaving at 0920 hours over the sea off Naqurah.
	0812	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 0920 hours over the Shab'a Farms.
	0835	Four Israeli warplanes violated Lebanese airspace, entering over the sea off Naqurah. They circled over all regions of Lebanon before leaving at 1000 hours over the sea off Naqurah.
	0900	Two Israeli enemy warplanes violated Lebanese airspace over the sea off Damur. They circled over all regions of Lebanon before leaving at 1030 hours over the sea off Naqurah.
	0945	Two Israeli enemy warplanes violated Lebanese airspace over the sea off Juniyah. They circled over the sea off Juniyah and Shikka before leaving at 1000 hours over the sea off Naqurah.

Date	*Time*	*Nature of violation*
4 December 2011	0553	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1714 hours.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1000 hours over Rumaysh.
	0940	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and the Western Bekaa before leaving at 1510 hours over Rumaysh.
	1013	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1100 hours over the sea to the west of Naqurah.
	1015	Two Israeli enemy warplanes violated Lebanese airspace, entering over Aytarun. They circled over all regions of Lebanon before leaving at 1125 hours over Naqurah.
	1130	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1625 hours over Naqurah.
5 December 2011	0733	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1130 hours.
	0810	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Beirut and the South before leaving at 1600 hours over Alma al-Sha'b.
	1855	Four Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1905 hours.
	2230	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 2240 hours.
6 December 2011	0935	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1100 hours over Alma al-Sha'b.
	0807	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1505 hours.
	1030	Six Israeli enemy warplanes violated Lebanese airspace, entering over Alma al-Sha'b. They circled over all regions of Lebanon before leaving at 1110 hours over Naqurah.
	1050	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1155 hours.
	1930	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 2017 hours.

Date	*Time*	*Nature of violation*
	2133	Two Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 2135 hours.
	2215	Two Israeli enemy helicopter gunships violated Lebanese airspace, circling over the South before leaving at 2230 hours.
7 December 2011	0803	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1458 hours.
	0905	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. They circled over the South before leaving at 1130 hours over Naqurah.
8 December 2011	0945	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 0957 hours.
	1530	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 1550 hours.
9 December 2011	1140	The Israeli enemy airforce violated Lebanese airspace, circling over the South before leaving at 1200 hours.
10 December 2011	0620	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and Beirut and its suburbs before leaving at 1800 hours over Rumaysh.
	2137	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 2145 hours.
11 December 2011	0751	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0936 hours.
	1000	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1110 hours over Naqurah.
	1000	Two Israeli enemy warplanes violated Lebanese airspace, entering the Shab'a Farms. They circled over all regions of the South before leaving at 1150 hours over the sea off Naqurah.
	1048	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1411 hours.
	1640	Two Israeli warplanes violated Lebanese airspace, circling over the South before leaving at 1745 hours.
12 December 2011	0105	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0303 hours.
	0521	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0651 hours.

Date	*Time*	*Nature of violation*
	0640	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Aytarun. It circled over the South before leaving at 0920 hours over Alma al-Sha'b.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1135 hours over Rumaysh.
	0920	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1040 hours over the sea off Naqurah.
12 December 2011	0940	Four Israeli enemy warplanes violated Lebanese airspace, entering over the sea to the west of Jubayl. They circled over all regions of Lebanon before leaving at 1145 hours over Naqurah.
	1120	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1935 hours over Naqurah.
	1650	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2020 hours over Kafr Killa.
13 December 2011	0620	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South, Beirut and its suburbs before leaving at 1730 hours over Alma al-Sha'b.
	1720	The Israeli enemy airforce violated Lebanese airspace, circling over the South before leaving at 1830 hours.
14 December 2011	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1315 hours over Alma al-Sha'b.
	1200	The Israeli enemy airforce violated Lebanese airspace, circling over the South before leaving at 1250 hours.
	1505	The Israeli enemy airforce violated Lebanese airspace, circling over the South before leaving at 1510 hours.
	2038	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 2106 hours.
	2354	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving on 15 December at 0020 hours.
15 December 2011	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1410 hours over Alma al-Sha'b.

Date	*Time*	*Nature of violation*
	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1825 hours over Alma al-Sha'b.
	2005	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Western Bekaa, then Beirut and its suburbs, then the South and the Bekaa, before leaving on 16 December at 0705 hours over Kafr Killa.
	1735	Two Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1845 hours.
16 December 2011	0704	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1807 hours.
	0835	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1610 hours over Alma al-Sha'b.
	1730	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1840 hours.
17 December 2011	0544	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1203 hours.
	0620	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South, Beirut and its suburbs before leaving at 1220 hours over Rumaysh.
	0955	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1330 hours over Alma al-Sha'b.
18 December 2011	0544	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 0556 hours.
	0620	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Western Bekaa and the South before leaving at 1530 hours over Alma al-Sha'b.
	0650	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1708 hours.
	1150	Six Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh. They circled over all regions of Lebanon before leaving at 1320 hours over Alma al-Sha'b.
	1653	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 2307 hours.
19 December 2011	0108	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0201 hours.

Date	*Time*	*Nature of violation*
	0558	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1204 hours.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs, the South and the Western Bekaa before leaving at 1805 over Naqurah.
	0940	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1140 hours over the sea off Naqurah.
	0952	Four Israeli enemy warplanes violated Lebanese airspace, entering over the sea off Beirut. They circled over all regions of Lebanon before leaving at 1350 hours over Rumaysh.
	1245	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1410 hours over the sea off Naqurah.
	2205	Two Israeli enemy warplanes violated Lebanese airspace, entering over Alma al-Sha'b. They circled over the South before leaving on 20 December at 1635 hours over Rumaysh.
20 December 2011	0635	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1210 hours over Kafr Killa.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South, Riyaq and Baalbek before leaving at 1650 hours over Naqurah.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Western Bekaa before leaving on 21 December at 0015 hours over Kafr Killa.
	0740	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and the Shuf before leaving at 1245 hours over Kafr Killa.
21 December 2011	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Western Bekaa and the South before leaving at 1010 hours over Alma al-Sha'b.
	0655	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1000 hours over Rumaysh.
22 December 2011	0655	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2200 hours over Aytarun.

Date	*Time*	*Nature of violation*
	0640	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1450 hours over Rumaysh.
	0507	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1445 hours.
	1148	The Israeli enemy airforce violated Lebanese airspace, circling over the South before leaving at 1253 hours.
23 December 2011	1117	The Israeli enemy airforce violated Lebanese airspace, circling over the South before leaving at 1125 hours.
27 December 2011	1212	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Naqurah. It circled over the coastline of Beirut and Damur before leaving at 1535 hours over the sea off Naqurah.
28 December 2011	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Bekaa before leaving at 1835 hours over Naqurah.
	0935	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1130 hours over the sea to the west of Naqurah.
	0937	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over Beirut and the South before leaving at 1000 hours over Alma al-Sha'b.
	1415	Two Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh. They circled over Beirut and the South before leaving at 1540 hours over Alma al-Sha'b.
	2200	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Bekaa and the South before leaving on 29 December at 1505 hours over Naqurah.
29 December 2011	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 0910 hours over Alma al-Sha'b.
	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1040 over Aytarun.
	0915	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South and the Western Bekaa before leaving at 1225 hours over Naqurah.
	0930	Two Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 0943 hours.

Date	*Time*	*Nature of violation*
	0930	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Yarun. It circled over the South before leaving at 1540 hours over Rumaysh.
	1020	Two Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1028 hours.
	1322	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1817 hours.
	1332	The Israeli enemy airforce violated Lebanese airspace, circling over the South before leaving at 1410 hours.
	1414	Two Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1538 hours.
	1520	The Israeli enemy airforce violated Lebanese airspace, circling over the South before leaving at 1526 hours.
	1542	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 2307 hours.
30 December 2011	0348	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1504 hours.
	0651	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1712 hours.
	1652	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 2305 hours.

United Nations S/2012/82

Security Council

Distr.: General
8 February 2012

Original: English

Letter dated 8 February 2012 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that the members of the Security Council have decided to send a mission to Haiti from 13 to 16 February 2012. The mission will be led by Ambassador Susan Rice of the United States of America. The members of the Council have agreed on the terms of reference of the mission, which are annexed hereto.

Following consultations with the members, it has been agreed that the composition of the mission is as follows:

Ambassador Susan Rice (United States of America), Head of Mission

Ambassador Agshin Mehdiyev (Azerbaijan)

Mr. Yang Tao (China)

Ambassador Néstor Osorio (Colombia)

Ambassador Gérard Araud (France)

Ambassador Peter Wittig (Germany)

Ambassador Gert Rosenthal (Guatemala)

Ambassador Hardeep Singh Puri (India)

Ambassador Mohammed Loulichki (Morocco)

Ambassador Raza Bashir Tarar (Pakistan)

Ambassador José Filipe Moraes Cabral (Portugal)

Mr. Nikita Y. Zhukov (Russian Federation)

Ambassador Baso Sangqu (South Africa)

Ambassador Kodjo Menan (Togo)

Ambassador Philip Parham (United Kingdom of Great Britain and Northern Ireland)

I should be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Kodjo **Menan**
President of the Security Council

12-22770 (E) 090212

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Annex

Terms of reference for the Security Council mission to Haiti, from 13 to 16 February 2012

The terms of reference of the mission, led by Ambassador Susan Rice (United States of America), are as follows:

Reaffirm the continued support of the Security Council for the Government and people of Haiti to rebuild their country, consolidate peace, democracy and stability and promote recovery and sustainable development, recognizing that Haiti has made considerable strides since the tragic earthquake of 12 January 2010 yet continues to face significant security, humanitarian and development challenges.

Assess the implementation of relevant Security Council resolutions, in particular resolution 2012 (2011), and review the progress the Government of Haiti has made, with the assistance of the international community, particularly the United Nations Stabilization Mission in Haiti (MINUSTAH), in addressing the interconnected challenges in the areas of stability and security, including strengthening the rule of law and protecting civilians; economic and social development; institutional reform and governance, including elections; border management; and human rights.

Express strong support for MINUSTAH and the Special Representative of the Secretary-General and their efforts to improve stability and governance in Haiti, and create conditions conducive to Haiti's security, reconstruction and development.

Assess the ongoing strengthening of the Haitian National Police and the national authorities' increasing exercise of the Haitian State's responsibility for the maintenance of stability and security in the country, examine efforts by MINUSTAH to increase coordination with the Haitian National Police and to strengthen the capacity of the Haitian National Police in order for it to take full responsibility for the security needs of Haiti, underscore the importance of the Haitian National Police being adequately funded, and encourage the Government of Haiti to take advantage of the support being provided by the international community to guarantee the provision of adequate security for the Haitian people. Assess the full range of Haiti's rule of law, security and security-related structures.

Reiterate the importance of immediate, medium- and long-term sustained efforts to support the reconstruction of Haiti, consolidate democracy, peace and stability, ensure the protection of human rights and promote sustainable development, while bearing in mind the ownership and the primary responsibility of the Government and people of Haiti.

Evaluate and discuss with the Government of Haiti progress in earthquake recovery, including the overall humanitarian situation, rubble removal, housing reconstruction and the rebuilding of critical infrastructure, and evaluate the impact of these efforts on security, stability and development; and assess the capacity of the Government of Haiti and the private sector to carry out civil engineering and reconstruction tasks, including consulting the Government of Haiti on how capacity can be increased so that Haitians can take on a wider role in reconstruction.

Review and assess the efforts of the Government of Haiti, with the support of MINUSTAH and the cooperation of Member States, to address challenges to

security, including threats to internally displaced persons and other vulnerable groups, sexual and gender-based violence, cross-border illicit trafficking of persons, drugs and arms, and other criminal activities.

Urge all relevant political actors in Haiti, in particular the executive and the legislative branches, to engage in an effective dialogue towards a political agreement that would consolidate a concrete forward agenda for progress in key areas, such as Haiti's security, budget, recovery and development priorities, elections and electoral reform, including the participation of women in the electoral process and the completion of constitutional reform.

Review the progress achieved so far and assess the state of planning and implementation of the upcoming legislative and local government elections.

Underscore the importance of mutual commitments made by the international community and Haiti and convey the importance of the fulfilment of all pledges of support to the reconstruction of Haiti.

Assess the impact of the health challenges facing Haiti on the country's security and stability and examine the efforts of the United Nations system, particularly MINUSTAH, to assist the Government of Haiti in addressing emerging health issues.

Underscore the importance of full compliance of all MINUSTAH personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse and assess steps taken to implement this policy.

Review progress of MINUSTAH implementation of the force reduction authorized in resolution 2012 (2011), assess planning to encourage greater Haitian ownership of security and reconstruction activities, and examine the potential for adjustments to the MINUSTAH force configuration based on the overall improved security situation on the ground, taking into account the impact of social and political realities on the stability and security of Haiti, the increasing development of Haitian State capabilities, including the ongoing strengthening of the Haitian National Police, and the national authorities increasing exercise of their responsibility for the maintenance of stability and security.

United Nations S/2012/83

Security Council

Distr.: General
8 February 2012

Original: English

Letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General

I have the honour to convey to you herewith a concept note for the Security Council open debate on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region, to be held on 21 February 2012 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Kodjo **Menan**
Ambassador
Permanent Representative

12-22831 (E) 150212

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Annex to the letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General

Concept note on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region

Introduction

It is Togo's intention to use its presidency of the Security Council in February 2012 to explore ways and means to tackle the impact of organized crime and related problems on peace, security and stability in West Africa and the Sahel region. To that end, the delegation of Togo will convene a debate chaired by the President of the Republic of Togo on 21 February 2012. The aim of the debate is to adopt concrete measures in assisting the countries of West Africa and the Sahel region to deal with various problems that they are facing, bearing in mind new threats to peace, stability and security resulting from crises occurring in neighbouring countries.

Background

By nature, organized crime is driven by a transnational dynamic that benefits from various factors. Several studies and reports have already highlighted the extent to which organized crime in West Africa and the Sahel region is fuelled by events arising in other parts and even outside Africa. As a result, individuals, scholars and institutions are rightly calling for coordinated action to tackle the phenomenon of organized crime in these regions.

However, the real impact of some recent events that have occurred in the region on organized crime remains unknown. Indeed, the geographical, political and economic ties are obvious and twofold and, therefore, a more holistic analysis of organized crime in those regions is required. Firstly, West Africa and the Sahel region are connected, since some countries in the Sahel region also form part of West Africa. Secondly, the evolving sophistication of organized crime in those regions invalidates the concept of and undermines the fight against organized crime as developed so far, to the extent that organized crime can no longer be disassociated from piracy in the Gulf of Guinea.

The question as to whether piracy has become an organized crime per se needs to be examined in order to establish how and to what extent pirates of various regions interact and learn from each other. However, it is uncontested that classic transnational organized crime and piracy are intertwined and reciprocally fuel each other in some areas, such as arms supply, drug trafficking, etc., to compromise security, political stability and the development of these regions. This holistic approach to the concept of organized crime, as well as an inclusive analysis of the regions, will enable a better picture of the synergetic interplay between the various crimes in the regions concerned to the benefit of the coordinated action in fighting organized crime in the West Africa and Sahel regions.

Awareness of organized crime in West Africa and the Sahel region

For the past three years, the Security Council has repeatedly raised awareness of the potential security threats created by the trafficking of drugs, arms, oil, humans, counterfeit goods and other goods in West Africa and the Sahel region. It goes without saying that these threats are obviously worsening political tensions within West Africa and the Sahel region, undermining development and regional stability and fuelling conflict and terrorism.

The reality of the threat posed by drug trafficking has been scrutinized by the Security Council and the Peacebuilding Commission in regard to Guinea-Bissau, Liberia and Sierra Leone. According to the United Nations Office on Drugs and Crime, United Nations Office for West Africa and Council reports, drug trafficking is increasingly intertwined with other forms of trafficking in the region, including oil bunkering. These trafficking networks are, in turn, financing armed militancy and terrorism in the Sahel region and piracy in the Gulf of Guinea.

The fight against organized crime in West Africa and the Sahel region

The countries in West Africa and the Sahel region are making tremendous efforts to fight organized crime. Thus far, some progress has been made in dismantling these trafficking networks. However, West Africa and the Sahel region are becoming a forum for more and more complex and sophisticated criminal as well as militant collaboration and innovation. Transnational trafficking networks now appear to be deep-rooted and more dangerous than ever, establishing alliances with both non-State armed actors.

As a result, there have been flagrant innovations in the West African criminal markets to the extent that States are unfortunately losing control over national and transnational violence. The revenues of other criminal service providers (arms traffickers, document forgers, pharmaceutical and DVD counterfeiters, couriers and protection providers) intertwine with the transatlantic cocaine trade and other forms of lawlessness activities in the region.

The diagnosis of organized crime in West Africa and the Sahel region

At this juncture, it appears that the underlying problem is not geographical, but rather one of governance, involving socio-political and economical parameters.

West Africa and Sahel region offer a highly favourable social environment for the forging of political-criminal partnerships. Many West African States have low revenue extraction capacities, frail financial control systems, poor law enforcement and judicial institutions, and a persisting susceptibility to corruption.

Furthermore, trafficking networks in West Africa and the Sahel are undermining States' sovereignty. This is to say that the global illicit markets have generated an entirely new scale of illicit financing, untethered to the local political and social responsibilities that usually structure the State's revenue extraction and service delivery arrangements.

Then there is violent competition for control of trafficking revenues and a fragmented security environment, as those revenues finance conflict and terrorism. Violence in some countries in the last three years seems to demonstrate that drug trafficking revenues already offer a highly tempting fast track for a younger, impatient generation of military officers or social groups that feel deprived of their fair share of criminal market revenues.

Organized crime is thus leading to a fragmentation of security in West Africa and the Sahel region, with risks that spread over to the inter-State arena. In some West African States, the future security landscape may, therefore, resemble inter-cartel violence, with an overlay of ethnic and religious sectarianism. In other States, the collaboration between foreign trafficking organizations and local oligarchic powers may be a better template.

The responses to organized crime by States in West Africa and the Sahel region

In recent years, numerous States have offered bilateral military, technical and financial assistance to the regions. Some of these initiatives are listed here but the list is not exhaustive. Much of this support is detailed in the recent report of the assessment mission on the impact of the Libyan crisis on the Sahel region (see S/2012/42), submitted to the Security Council in January 2012. In addition to the measures detailed in the report, the United Nations, African Union and Economic Community of West African States (ECOWAS) have all taken steps to develop coordinated arrangements to strengthen their efforts in abolishing trafficking. Namely, there is an ECOWAS Regional Response Action Plan adopted by Heads of State and Government in Abuja in December 2008 (which formally ended in December 2011), an African Union Plan of Action on Drug Control and Crime Prevention (2007-2012) and the United Nations/ECOWAS West Africa Coast Initiative, which conducts coordinated capacity-building in Côte d'Ivoire, Guinea, Guinea-Bissau, Liberia and Sierra Leone; its primary focus is on building transnational crime units in each country.

None of these efforts has had a major deterring impact on the development of trafficking networks in West Africa and the Sahel region. On the contrary, as stated in the preceding reports, the situation may have now become worse than before these initiatives were carried out.

The way forward in fighting organized crime in West Africa and the Sahel region

Despite their ongoing efforts, without considerable external assistance, States in West Africa and the Sahel region will not be able to effectively eradicate trafficking networks any time soon. It is clear that: "many officials throughout the region are deeply concerned by the effects of the drug trade, but are often confronted by people and networks more powerful than they are, and with other priorities. Leaders need support from their public, from within the region and from the international community" (Stephen Ellis).

Although the efforts of States in West Africa and the Sahel region are absolutely necessary, it is clear that after almost a decade of the expansion of trafficking networks in the region, these initiatives are insufficient. Part of the dilemma in organizing an effective response is due to the poor institutional capacity of States in the region, which is one of the most underprivileged regions in the world. The dreadful socio-economic conditions, aggravated by the dawdling global economic performance, with fragile governance arrangements, leave numerous populations in the region feeling poorly served by their States. Hence, any assistance to these States to overcome the struggle and promote economic growth and inclusive security will certainly bolster their policy of non-violent resolution of the resulting disputes. Consequently, as the recent inter-agency assessment report reveals, assistance from the international community that frames all of these disputes in narrow "security" terms without also taking steps to address these

broader questions of conflict prevention, governance and sustainable development will not provide an effective solution.

The United Nations system evidently has a wide range of expertise to offer the international community as it struggles with the complex challenges created by trafficking networks in West Africa and the Sahel region. Several United Nations bodies are already working in the region on trafficking networks, such as the United Nations Office for West Africa, United Nations Office on Drugs and Crime, International Organization for Migration, International Civil Aviation Organization, United Nations Children's Fund, Office of the United Nations High Commissioner for Refugees, Joint United Nations Programme on HIV/AIDS and United Nations Development Programme.

The primary challenge seems to be that of strategic coordination, not only within but also beyond the United Nations. The Secretary-General's representative in the United Nations Office for West Africa has called for consolidated strategic direction in international efforts. The Under-Secretary-General for Political Affairs, Lynn Pascoe, also recently suggested the need for a single mechanism to enhance coordination: "To be able to deal with the challenges in the Sahel region and to have a comprehensive, long-lasting impact, we need to put in place a mechanism that would bring together all the affected countries and major outside actors in a coordinated manner to discuss the issues and devise solutions."

The advantage of such an approach might be its greater inclusivity, since it would allow the United Nations to ally with relevant external partners — such as the World Bank, African Union, ECOWAS, INTERPOL and external military and development actors — to develop tailored programmes and action plans. A similar model could be adopted for trafficking networks in West Africa and the Sahel region, to assist in mobilizing and coordinating the international community's assistance in the following areas: (a) law enforcement and border controls; (b) financial governance; (c) electoral governance; (d) social programming, such as impacts on public health, anti-gang activities, employment initiatives and youth programming; and (e) public awareness campaigns and civil society mobilization.

Another alternative might be to explore how the United Nations could facilitate scaled-up investigative and judicial assistance to the regions through the international community. The recent inter-agency assessment team reported that the lack of national coordination and liaison mechanisms against transnational organized crime and terrorism make it particularly challenging for the countries of the region to adequately address the transnational threats they face. The Security Council, in his recent agenda-setting speech to the General Assembly and subsequent remarks to the press, has made it clear that he intends, in his second term, to explore various options to increase United Nations assistance in regional and international judicial mechanisms.

United Nations S/2012/84

Security Council

Distr.: General
10 February 2012

Original: English

Identical letters dated 10 February 2012 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to attach herewith identical letters dated 10 February 2012, addressed to the Secretary-General and the President of the Security Council, regarding the two terrorist bombings that targeted two Government institutions in a residential area of the city of Aleppo on Friday, 10 February 2012 (see annex). The preliminary death toll from this terrorist attack stands at 28 citizens, including children. Moreover, 235 citizens were wounded in the bombings. The terrorist bombings caused great damage to the two institutions and the nearby residential buildings.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

12-23083 (E) 100212 130212

Please recycle

Annex to the identical letters dated 10 February 2012 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

On instructions from my Government, I wish to draw your attention to the following information.

This morning, Friday 10 February 2012, terrorist groups committed a horrifying crime in the city of Aleppo. Two car bombs exploded, targeting innocent civilians in a residential area near a children's park, a food distribution centre and law enforcement premises. The terrorist attack resulted in the martyrdom of over 28 citizens and the injury of 235 others, some of whom were very severely wounded, including a number of children. That heinous act of terrorism is part of the unjust campaign against Syria, which is supported and funded by several regional States and instigated by well-known media outlets. Such bloodshed demonstrates their support for terrorist groups and fighters who kill innocent civilians and destroy infrastructure, trains, public buses, schools, petroleum and gas pipelines, electrical power stations and public and private institutions. The factions that committed the crime are backed by certain Arab and Western States, which violate their Arab and international commitments in an endeavour to impair the security of Syria and the safety of its citizens. Those States are using humanitarian pretexts to marshal the region and the international community against Syria, while at the same time harbouring armed terrorist groups that resort to killing in pursuit of their destructive goals.

The Syrian Arab Republic emphasizes its right to protect its citizens and to combat and eradicate terrorism and violence. It demands that the Security Council shoulder its counter-terrorism responsibilities and enforce its resolutions on the topic. Syria calls on those who harbour, support, fund and arm the terrorist groups to hand over the criminals and terrorists in accordance with international law and counter-terrorism resolutions. Syria requests those States and parties that provide political and media cover for the terrorists to refrain from doing so immediately in accordance with Security Council resolutions on combating terrorism and terrorist financing.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations S/2012/85

Security Council

Distr.: General
10 February 2012
English
Original: French

Letter dated 10 February 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to resolution 2021 (2011) concerning the Democratic Republic of the Congo, by which the Council requested me to extend, for a period expiring on 30 November 2012, the Group of Experts established pursuant to resolution 1533 (2004) and renewed by subsequent resolutions.

Accordingly, I wish to inform you that, following consultations with the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, I have appointed the following experts:

- Mr. Nelson Alusala, Kenya (arms)
- Mr. Ruben de Koning, Netherlands (natural resources)
- Mr. Steven Hege, United States of America (armed groups)
- Ms. Marie Plamadiala, Republic of Moldova (customs and aviation)
- Mr. Steven Spittaels, Belgium (finance)

I have also selected Mr. Hege to serve as Coordinator of the Group of Experts.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

12-23076 (E) 100212 100212

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United Nations A/66/696–S/2012/86

General Assembly
Security Council

Distr.: General
14 February 2012
English
Original: Spanish

General Assembly
Sixty-sixth session
Agenda item 45
Question of the Falkland Islands (Malvinas)

Security Council
Sixty-seventh year

Letter dated 10 February 2012 from the Chargé d'Affaires a.i. of the Permanent Mission of Argentina to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith the report of the Argentine Government on the militarization of the South Atlantic by the United Kingdom (see annex), which was hand-delivered to you today by the Minister for Foreign Affairs and Worship of the Argentine Republic.

I should be grateful if you could arrange for the present note and its annex to be circulated as a document of the General Assembly under agenda item 45, concerning the question of the Malvinas Islands, and of the Security Council.

(*Signed*) Mateo **Estreme**
Minister
Chargé d'Affaires a.i.

12-23305 (E) 170212 210212

Please recycle

Annex to the letter dated 10 February 2012 from the Chargé d'Affaires a.i. of the Permanent Mission of Argentina to the United Nations addressed to the Secretary-General

Report of the Argentine Government on the militarization of the South Atlantic by the United Kingdom of Great Britain and Northern Ireland, 10 February 2012

The Argentine Republic is once again compelled to alert the international community, through the principal organs of the United Nations, to the growing British militarization of the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which are part of Argentine national territory and, as they are illegally occupied by the United Kingdom, are the subject of a bilateral sovereignty dispute recognized by the United Nations.

The Argentine Government has repeatedly stressed that this growing British militarization is contrary to the search for a peaceful settlement to the sovereignty dispute and constitutes an affront to the entire region, creating unnecessary tension in the South Atlantic.

The Argentine Government's concern has recently increased owing to statements made and decisions adopted by the British Government that are clearly provocative in nature and that result in the creation of a situation in the South Atlantic that is desired by neither Argentina nor the region.

The statements made to Parliament by Prime Minister David Cameron on 18 January 2012 cannot be interpreted otherwise, as he referred to the Malvinas Islands military forces and said that he had convened the National Security Council to discuss this issue. This was accompanied by statements from the Minister of State for the Armed Forces at the Ministry of Defence, Nick Harvey, who also addressed Parliament on 16 January 2012, boasting that the Malvinas Islands military base has substantial military resources, including air, sea and ground forces, which can be reinforced, if necessary. On 15 January 2012, the British Foreign Secretary, William Hague, spoke along the same lines when he added a reference to the recent modernization of the military airport of the islands. On 1 February 2012, Julien Brazier, a member of the Defence Committee of the British House of Commons, described the recent British military deployment as a "very powerful and timely" message to Argentina.

Argentina has information that, in the context of the recent British military deployment in the Malvinas Islands, refers to the dispatch of a nuclear submarine with the capacity to transport nuclear weapons to the South Atlantic. Argentina, as well as other countries of the region acting at its request, has sought information from the United Kingdom regarding the transportation of nuclear weapons to the South Atlantic. The United Kingdom has refused to provide any information that would serve to confirm or deny that fact, which is a serious matter affecting countries with which it seeks to maintain normal diplomatic relations.

Such conduct, which has also occurred in the past, has served to increase the Argentine Government's concern at this military escalation.

In 2003, following press reports of the events, the British Government admitted that vessels carrying nuclear weapons had secretly entered the South Atlantic and that incidents had occurred in connection with the handling of those weapons. The Argentine Government complained of these incidents to the United Nations.

The introduction of nuclear weapons into the South Atlantic is contrary to the Treaty of Tlatelolco, to which Great Britain is a party. Under this treaty, the purpose of which is the military denuclearization of Latin America, all the South American countries have renounced weapons of mass destruction.

This makes the disputed archipelagos a key component of Britain's strategic scheme — global in both nature and reach — to concentrate its enormous military power and its status as the only nuclear Power in the region; it may be concluded that the groundless defence by the United Kingdom of the self-determination of 2,500 islanders is merely a pretext for establishing a powerful military base to serve its strategic interests in the South Atlantic, with implications for the Antarctic and the Pacific and Indian Oceans.

The tension created by the events referred to above has increased with the arrival in the Malvinas Islands of Prince William, who is second in the line of succession to the British throne, in his capacity as a senior officer of the British Army to perform air and sea exercises. Apart from the political implications of this decision, it is aggravated by the dispatch to the South Atlantic of a state-of-the-art missile destroyer of the same kind as the one recently sent by the United Kingdom to the Persian Gulf, a highly volatile area that cannot be compared to the South Atlantic.

What is happening today is a new phase in the growing British military presence in the disputed area. In 2004, the British Government upgraded the military base in the Malvinas Islands, enlarging its scope of operations to areas beyond the disputed area. Furthermore, in 2010 the Argentine Republic complained to the International Maritime Organization of British missile exercises being conducted in maritime areas near the Malvinas Islands which jeopardized the safety of navigation in the South-West Atlantic.

At the same time, the new British Strategic Defence and Security Review released in October 2010 indicates the true strategic goal of the military base established in the Malvinas Islands: to provide a support centre for British military deployment on a global scale. It goes without saying that this goal is alien to the interests of the region.

The British military escalation is of concern not only to Argentina but also to the countries of the region and beyond. The Ibero-American Summits held in December 2010 and October 2011, and the Union of South American Nations (UNASUR) meeting held in October 2011, joined Argentina in rejecting the British military deployment in the area.

This situation is occurring in the context of the United Kingdom's repeated refusal to resume the negotiations urged by the United Nations and of its illegal unilateral measures involving the exploration and exploitation of renewable and non-renewable natural resources in the disputed area. This openly violates the provisions of United Nations General Assembly resolution 31/49, which requires both parties to refrain from taking decisions that would imply introducing unilateral

modifications in the situation in the islands while the sovereignty dispute between the two countries remains unresolved.

The illegitimate oil exploration activities which the United Kingdom has conducted — and, since 2010, expanded — in waters adjacent to the Malvinas Islands are not only contrary to the above-mentioned resolution 31/49, but are being carried out in the difficult conditions of the South Atlantic in a previously pristine marine environment. These activities are also a source of particular concern for Argentina as they imply a serious environmental risk which could lead to an ecological disaster such as the one that recently occurred in the Gulf of Mexico.

Such illegal activities have been rejected by the Southern Common Market (MERCOSUR) and its associated States, UNASUR and the Community of Latin American and Caribbean States (CELAC). In order to foresee or prevent such activities, MERCOSUR and UNASUR have undertaken to inform the Argentine Republic of the movement of ships with cargo related to oil exploration and exploitation in areas occupied by the United Kingdom.

Illegal British fishing activity in the disputed area has also been aggravated by the United Kingdom's unilateral granting of property rights over fishing resources to third parties for a period of up to 25 years, thus creating faits accomplis which once again highlight the British refusal to settle the dispute through bilateral negotiations.

In view of the above, the United Kingdom's conduct in relation to the sovereignty dispute is incompatible with its obligations as a United Nations Member State regarding the peaceful settlement of international disputes pursuant to the provisions of the Charter. This is particularly serious in view of its status as a permanent member of the Security Council, the body responsible for safeguarding international peace and security.

Even more serious is the fact that, at a time when the world is discussing the need to control and reduce nuclear danger, a permanent member of the Security Council is sending a contradictory message.

The Argentine Republic reiterates its willingness to resume the long-postponed negotiations in order to reach a peaceful solution to the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

The question of the Malvinas Islands

Historical background

The Malvinas Islands were discovered in 1520 by members of the Magellan expedition. They were recorded on European maps under a variety of names, but always remained within the areas under the effective control of the Spanish authorities. Papal bulls and the Treaty of Tordesillas of 1494 are the first instruments reflecting Spanish titles in accordance with international law of the period. The whole southern region of the Americas, with its coasts, seas and islands, indisputably remained under Spanish sovereignty through the various treaties signed in the period, such as the "American" Treaty of 1670 between Spain and England. The Peace of Utrecht, signed in 1713, assured the integrity of Spain's possessions in

South America and confirmed its exclusive right to sail in the waters of the South Atlantic. As a signatory of the Utrecht agreements and of later treaties in the eighteenth century ratifying them, England accepted these clauses.

In 1749 Spain received news of a British plan to settle the Malvinas Islands and protested strongly to the Government of Great Britain, which then abandoned the plan. In 1764, it was France that showed an interest in the Malvinas Islands, establishing the settlement of Port Louis on Soledad Island. Spain objected strongly and succeeded in persuading France to recognize Spanish rights to the islands. The French Government ordered evacuation of the settlement and handed it over to the Spanish authorities. Soon after the French settlement, the United Kingdom once again expressed its intentions to take over the islands, this time through a clandestine expedition that arrived in the archipelago and established a fort at a place named "Port Egmont" on an island to the west of Gran Malvina. Despite the secrecy of the operation, Spain became aware of it and protested strongly. Not receiving an acceptable response, in 1770 it expelled the settlers. As a result of that act, both countries were on the verge of war, but in 1771 they reached an agreement that consisted of two declarations: a declaration by Spain that would return Port Egmont to the British, making express reservation concerning Spanish rights to sovereignty over the whole of the Malvinas Islands archipelago; and an acceptance of this declaration in which Great Britain remained silent as to the reservation concerning Spanish rights. As part of the arrangement, it was agreed that the English would withdraw from Port Egmont, which they did in 1774. From then on, the Spanish authorities based in Puerto Soledad continued to exercise their jurisdiction and control over the whole of the archipelago. In 1790, with the signing of the Treaty of San Lorenzo at El Escorial, Great Britain undertook not to establish any settlements on either the eastern or the western coasts of South America or on the adjacent islands already occupied by Spain such as the Malvinas Islands. Spain appointed a succession of 32 governors in the Malvinas Islands up to 1811.

After the May Revolution in 1810, the first Argentine Governments considered the Malvinas Islands to be an integral part of the territory inherited from Spain. In 1820, despite the internal struggles faced by the Argentine State in formation, Argentine naval officer David Jewett took possession of the Malvinas Islands on behalf of the United Provinces of the Río de la Plata at a public ceremony at Puerto Soledad, which was attended by sealers and whalers of different nationalities, including American and British. The news was published in the media in the United States and the United Kingdom (David Jewett, *The Times* of London, 3 August 1821). Despite the publicity for the ceremony carried out by the Argentine authority, Great Britain did not stake any claim to the Malvinas Islands either on that occasion or later in the process of recognition of Argentina which ended with the signing of the Treaty of Friendship, Trade and Navigation in 1825. Argentine Governments took various actions confirming their sovereignty over the islands, including the granting of territorial concessions and the adoption of legislation on fishing resources. As a result, Puerto Soledad grew and its inhabitants worked in stockbreeding, sealing and providing services to the boats that came into port. On 10 June 1829, the Argentine Government created the Political and Military Command of the Malvinas Islands and appointed Luis Vernet to lead it. After remaining silent for over 50 years since the brief episode of Port Egmont, during which time there had been successive uncontested Spanish and Argentine administrations in the Malvinas Islands, in November 1829 the United Kingdom,

against the backdrop of renewed strategic interest in the South Atlantic, objected to the decree of 10 June of that year. Soon afterwards, on 3 June 1833, a British Royal Navy corvette expelled the Argentine authorities by force for refusing to recognize British authority. The Argentine authorities immediately rejected and protested against this act, which was carried out in peacetime, without prior communication or declaration, by a Government supposedly friendly to the Argentine Republic. Indeed, on 16 January 1833, when the first news of the events in the Malvinas Islands reached Buenos Aires, the Argentine Government demanded explanations from the British Charge d'Affaires, who was unaware of his country's actions. A few days later, on 22 January the Minister for Foreign Affairs presented a formal protest to the British Government official, which was repeated and expanded on numerous occasions by the Argentine representative in London. Argentina's many statements to the British Government invariably met with a negative response.

The issue remained unsettled and was recognized as such by the British Foreign Secretary in an official communication in 1849. Meanwhile Argentina continued to raise the issue at various levels of government and it became a subject of debate in the Argentine Congress. In 1884, in view of the lack of response to its protests, Argentina proposed that the issue should be submitted to international arbitration, but that proposal was also rejected by the United Kingdom, without any reason being given.

Subsequent Argentine Governments have continued to make protests to the United Kingdom, without success, and on every suitable occasion they have made statements and expressed reservations in defence and preservation of Argentine sovereignty over the disputed archipelagos.

The question of the Malvinas Islands in the United Nations

Prior to the establishment of the United Nations, the "Question of the Malvinas Islands", understood as the sovereignty dispute between Argentina and the United Kingdom over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, was addressed at the San Francisco Conference, at which the Argentine delegation made a statement of reservation of rights according to which the Argentine Republic in no event accepted that the system could be applied to or over any territories belonging to it, whether they were subject to a claim or dispute, or were in the possession of other States.

On 14 December 1960, when the decolonization process driven by the Charter of the United Nations was already well under way, the United Nations General Assembly adopted resolution 1514 (XV) on the Declaration on the Granting of Independence to Colonial Countries and Peoples, which proclaimed "the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations" and set out two fundamental principles that should guide the process of decolonization: self-determination and territorial integrity. This resolution establishes in paragraph 6 that "any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations". This resolution leaves it indisputably clear that the principle of self-determination cannot be applied where the territorial integrity of States is at stake.

Pursuant to resolution 1514 (XV), on 16 December 1965 the General Assembly adopted resolution 2065 (XX) in which it recognized the existence of a sovereignty dispute between Argentina and the United Kingdom and invited the two countries to negotiate to find a peaceful solution to the problem.

This resolution contains the essential elements that define this question:

- The case of the Malvinas Islands involves one of the forms of colonialism which must be brought to an end.
- The existence of a dispute between the Argentine and British Governments is noted.
- The Argentine and British Governments are invited to proceed with negotiations with a view to finding a peaceful solution to the problem and to report on the results of the negotiations to the Special Committee and to the General Assembly.
- In these negotiations, the provisions and objectives of the Charter (including Article 33 relating to the obligation of the parties to any dispute to seek a solution first of all by negotiation) and of resolution 1514 (XV) (principle of territorial integrity), as well as the interests of the population of the Islands (thus leaving aside the principle of self-determination).

Soon after the adoption of the above resolution, a process of bilateral negotiation concerning the sovereignty of the Malvinas Islands, South Georgia Islands, South Sandwich Islands and the surrounding maritime areas was initiated, in which both parties proposed a number of different solutions but did not succeed in implementing any of them. In 1973, the United Nations General Assembly declared the need to accelerate the negotiations and through its resolution 3160 (XXVIII) urged the two Governments to proceed with them without delay.

In subsequent years, while negotiations concerning the sovereignty dispute continued, special talks were held on practical aspects affecting the well-being of the population of the islands, as Argentina expressed its willingness to address the concerns of the population.

In 1971, as a result of these special talks, the two Governments reached an agreement on a sovereignty formula in order to cooperate on matters relating to regular air and maritime services and postal, telegraphic and telephone communications; while Argentina made a commitment to cooperation on health, education, agricultural and technical matters.

At the same time, a number of solutions were considered, both officially and unofficially, in the negotiations on the main issue. However, despite these negotiations and the Argentine actions to address the concerns of the islands' inhabitants, which certainly alleviated the burden of responsibility of the illegal occupying and administering Power, the United Kingdom at the same time carried out activities under its alleged jurisdiction in connection with exploration of natural resources in the disputed area, which were the subject of protests by the Argentine Government.

Aware of this situation, the United Nations General Assembly in December 1976 adopted resolution 31/49, with very significant content, by 102 votes in favour, 1 against (United Kingdom) and 32 abstentions. This resolution urges the two

parties to the dispute to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands are going through the process recommended in the above-mentioned resolutions 2065 (XX) and 3160 (XXVIII). To this day, the United Kingdom continues to ignore this resolution, as it persists in conducting unilateral activities in the disputed area, mainly in connection with the exploration and exploitation of renewable and non-renewable natural resources, and some of a military nature.

The 1982 conflict did not alter the nature of the sovereignty dispute between Argentina and the United Kingdom over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which continues to await negotiation and solution. The General Assembly recognized this fact in November 1982, when it adopted resolution 37/9 and made the same statement in its resolutions 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25.

Since 1989, the question of the Malvinas Islands has been discussed every year by the Special Committee on decolonization. Every year, this Committee adopts a resolution along the same lines as the relevant resolution of the General Assembly.

Similarly, within the United Nations, the mandate of the mission of good offices of the Secretary-General has been continued and the question of the Malvinas Islands has, since 2004, been on the permanent agenda of the General Assembly, as an item that can be discussed subject to prior notification by a Member State.

Consular and diplomatic relations between the two countries were restored in October 1989 and February 1990, respectively, after they had reached an understanding on the conditions in which the two countries would consider the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. For that purpose, agreement was reached, on the basis of the Joint Declarations of Madrid of 1989 and 1990, on a formula for preserving or safeguarding sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which also constitutes recognition by both countries of the existence and content of the sovereignty dispute. However, the question of sovereignty, the central issue of the dispute, has not yet been addressed owing to the refusal of the United Kingdom to resume the negotiations on this issue. The United Kingdom insists on its position, rejecting the many calls from Argentina, the United Nations, the Group of 77 and China, the entire international community, regional organizations (the Organization of American States, the Southern Common Market (MERCOSUR), the Union of South American Nations (UNASUR) and the Community of Latin American and Caribbean States (CELAC)) and the Ibero-American Summits, among other multilateral forums. The United Kingdom combines its refusal to resume negotiations with its reference to a supposed right of self-determination for the population of the islands, which is not applicable in this case and which has been repeatedly rejected by the United Nations. This is because the Organization understood that a population transplanted by the colonial Power, such as the population of the Malvinas Islands, does not constitute a people with the right to self-determination as it belongs to the people of the colonial Power.

United Nations S/2012/87

Security Council

Distr.: General
10 February 2012

Original: English

Letter dated 8 February 2012 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council

I have the honour to write to you with regard to document S/2012/10 dated 2 January 2012 containing the summary statement by the Secretary-General of matters of which the Security Council is seized and of the stage reached in their consideration. I have the honour to inform you that Portugal requests the following items listed in paragraph 3 of the above-mentioned document to remain on the list of matters of which the Council is seized:

80. Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones.

81. General issues relating to sanctions.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) José Filipe **Moraes Cabral**
Ambassador

12-23106 (E) 140212

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United Nations S/2012/88

Security Council

Distr.: General
13 February 2012

Original: English

Identical letters dated 10 February 2012 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General and the President of the Security Council

I would like to thank you for convening the annual briefing by the Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE) to the Security Council, which presented the priorities of the OSCE for the current year.

Armenia welcomes the Irish chairmanship's goals for 2012 and has expressed readiness to work closely towards their realization. We listened carefully to the comments and opinions expressed by the members of the Security Council in this regard. All of the views presented in the Council, with the exception of one, are in line with our own.

It is unfortunate that Azerbaijan, a newly elected non-permanent member of the Security Council, used this briefing as yet another opportunity to present one-sided information on the Nagorno Karabakh conflict, not only far from reality, but in full contradiction to the spirit of the negotiation process within the framework of the OSCE Minsk Group. Moreover, the statement is in stark contrast to the spirit of the Joint Declaration of the Presidents of Armenia, Russia and Azerbaijan made just last month in Sochi, underlining the readiness of the parties to speed up agreement on the Basic Principles offered by the mediators.

The 2010 OSCE Astana Summit Declaration recognized that "increased efforts should be made to resolve existing conflicts in the OSCE area in a peaceful and negotiated manner, within agreed formats". The agreed format for the Nagorno Karabakh conflict resolution is the OSCE Minsk Group.

What is the sense of the Azerbaijani attempt to open discussions on the Nagorno Karabakh issue in the Security Council or to change the terminology accepted by the OSCE and consistently used for a long time in the documents and statements of the OSCE? Using correct terminology to address the root causes of the conflict is one thing, but using terminology to change facts and distort the reality is a completely different matter.

While referring to the four Security Council resolutions of 1993 regarding the Nagorno Karabakh conflict in a partial, self-serving manner, Azerbaijan should be reminded that it itself did not abide by these resolutions, which urged "the parties concerned to resume promptly and to make effective and permanent the cease-fire". The main goal of those resolutions was the establishment of a ceasefire and the

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ending of hostilities, which, unfortunately, was not reached at that time because of Azerbaijani refusal. Thanks to additional efforts and further negotiations in 1994, the ceasefire agreement was signed in 1994 by Nagorno Karabakh and Azerbaijan, and joined by Armenia.

During its statement, Azerbaijan also tried to misinform the members of the Council about the work and conclusions of the OSCE Minsk Group Co-Chairs' 2005 and 2010 missions to the surrounding territories of Nagorno Karabakh by distorting the essence of the findings and by taking certain elements of the findings out of their context to further anti-Armenian propaganda.

Unfortunately, the behaviour of Azerbaijan confirms that the only guideline of this country was and will be the use of this distinguished tribune to distribute false facts, misinform and misrepresent the process of the Nagorno Karabakh conflict settlement. Despite its pledge before the Security Council "to the maintenance of international peace", Azerbaijan is continuously threatening to use force against Nagorno Karabakh and Armenia along with unprovoked daily warmongering by its leadership, dramatically increasing its military budget, violating the ceasefire agreement on the line of contact between Nagorno Karabakh and Azerbaijan, and systematically employing acts of vandalism towards the Armenian historical and cultural heritage.

In response to the calls of the last two years by the Secretary-General, the OSCE and the Minsk Group Co-Chairs, Armenia and Nagorno Karabakh responded positively to the proposals of withdrawing the snipers from the line of contact, to the consolidation of the ceasefire and to the creation of a mechanism for investigating incidents along the line of contact. However, Azerbaijan continues to reject all these proposals and continues to hinder the creation of an investigation mechanism.

Armenia welcomed the joint statements on the Nagorno Karabakh conflict by the Presidents of Russia, the United States of America and France at the Group of Eight Summits in L'Aquila (2009), Muskoka (2010) and Deauville (2011), and clearly stated its readiness to move forward on the basis of the principles and elements contained in those statements, showing that the approaches of the international community are in line with the approaches of Armenia.

Why did not the representative of Azerbaijan recall those statements in his presentation? Simply because Azerbaijan refuses to accept them. Perhaps it behooves Azerbaijan, in its newly elected role in the Security Council, to respect the work of that body and its members by refraining from provocative actions and statements in the future.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Garen **Nazarian**
Ambassador
Permanent Representative